

GIBSON DUNN

Gibson, Dunn & Crutcher LLP

200 Park Avenue
New York, NY 10166-0193
Tel 212.351.4000
www.gibsondunn.com

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Nancy Hart
Direct: +1 212.351.3897
Fax: +1 212.351.6273
NHart@gibsondunn.com

BY ELECTRONIC FILING

The Honorable Mary Kay Vyskocil
United States District Court
Southern District of New York
500 Pearl Street, Room 2230
New York, NY 10007

Re: Broidy et al. v. Global Risk Advisors et al., 19-cv-11861

Dear Judge Vyskocil:

I write on behalf of non-party Gibson, Dunn & Crutcher LLP. We are in receipt of Mr. Benson's letter to the Court dated December 13, 2022 regarding Plaintiffs' threatened sanctions motion (ECF No. 155), and we write to provide a brief response.

The submission of the letter was not appropriate. The letter makes clear that we did not agree to discuss any portion of any settlement discussions in public. Nor did we agree to submit such a matter to the Court. Indeed, in the same letter Mr. Benson asks this Court to set a briefing schedule on the threatened motion for sanctions, he attempts to prejudice the outcome of such a motion with the misleading and incomplete statements contained in his letter. As the Court knows, we do not believe there is any merit to the threatened motion and we will explain in detail in any opposition why that is so, but we do not believe the Court, which would decide any such motion, should oversee a settlement conference over the matter. We are willing to entertain a mediation over the entire matter – and not just the portions identified in Mr. Benson's letter – before a neutral not overseeing the case, and were exploring potential options in that regard, but Mr. Benson did not wait for our response to his last email. While we remain willing to mediate the matter, it is now clear there was never a meeting of the minds and a settlement of the issues appears unlikely. We also see no reason to spend time mediating and briefing the same issues at the same time. If Mr. Benson is intent on filing such a motion we will coordinate with Mr. Benson regarding a proposed briefing schedule, and look forward to having the issues decided on the merits.

Respectfully submitted,

/s/ *Nancy Hart*

cc: All Counsel of Record via ECF